

7-6-01



PATENT

Attorney Docket No. 32301WD232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Mike FARWICK, et al.) Examiner: To Be Assigned
Serial No. : 09/963,679) Group Art Unit: 1632
Filed: September 27, 2001)
For : NUCLEOTIDE SEQUENCES WHICH CODE FOR THE dep67 GENE

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL
APPLICATION, FILED UNDER 37 C.F.R. 1.53(b)

Attn.: Box Missing Parts
Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed October 30, 2001, Applicants submit herewith the following documents relating to the above-captioned patent application:

- A copy of the Notice to File Missing Parts of Application;
- Executed Declaration and Power of Attorney;
- Assignment Recordation Cover Form attached w/ executed Assignment;
- Preliminary Amendment;
- Sequence Listing Submission Statement;
- Sequence Listing with computer-readable disk; and
- Check for \$1,156.00.

U.S. Pat. App. No.: 09/963,679
Atty. Docket No.: 32301WD232

The check in the amount of \$1,156.00 enclosed is to cover the following fees:

Basic Filing Fee:	\$ 740.00 (large entity)
Add'l Claim Fee:	\$ 162.00 (9 additional claims over 20)
Add'l Ind. Claim Fee:	\$ 84.00 (1 additional ind. claim over 3)
Surcharge:	\$ 130.00
Recordation Fee:	\$ 40.00
TOTAL:	\$1,156.00

If any additional fees are due in connection with this filing, such as fees under 37 C.F.R. §§ 1.16 or 1.17, the Commissioner is authorized to charge the fees to SGR Deposit Account No. 02-4300; Order No. 032301.232. Similarly, please credit any overpayment to SGR Deposit Account No. 02-4300.

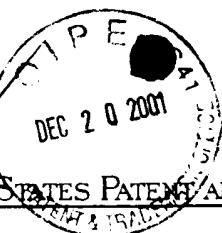
Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: 

Robert G. Weilacher, Reg. No 20,531
1850 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 659-2811
Facsimile: (202) 263-4329

Dated: December 20, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,679	09/27/2001	Mike Farwick	32301WD232

CONFIRMATION NO. 8997
FORMALITIES LETTER



OC00000006994411

SMITH, GAMBRELL & RUSSELL, LLP
ATTORNEYS AT LOW
SUITE 800
1850 M STREET, N.W.
WASHINGTON, DC 20036

Date Mailed: 10/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$242.
 - \$162 for 9 total claims over 20.
 - \$80 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1082.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- This application includes a copy of the "Sequence Listing" on a compact disc (37 CFR 1.821); however, it does not include two copies of the compact disc (37 CFR 1.52(e)(4)) in addition to the computer readable form. 37 CFR 1.821(e). Applicant must provide the required second compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8,

2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*

AG
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART I - ATTORNEY/APPLICANT COPY